

Commissioner for Patents  
Application Serial No. 10/735,054  
December 5, 2006  
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## REMARKS

### I. Summary of the Examiner's Action

#### A. Claim Rejections

As set forth in paragraph 2 of the July 27 Office Action, claims 12 – 15 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

As set forth in paragraph 3 of the July 27 Office Action, claims 1 – 22 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As set forth in paragraph 6 of the July 27 Office Action, claims 1 – 3, 10 – 19, 21 and 22 stand rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,938,149 to Kunimatsu *et al.* (hereinafter “the Kunimatsu patent”).

As set forth in paragraph 16 of the July 27 Office Action, claims 4 – 9 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Kunimatsu patent.

These rejections are respectfully disagreed with, and are traversed below.

#### B. Teleconference of December 4, 2006

By an Examiner-initiated teleconference that occurred on December 4, 2006, the

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Examiner indicated that Applicants' Amendment dated September 19, 2006 placed the application in condition for allowance subject to certain amendments to claims 12 and 16.

II. Applicant's Response

A. Proposed Amendments to claims 12 and 16

In response to the December 4, 2006 teleconference, Applicants have proposed further amendments to claims 12 and 16 over the amendments apparent in Applicants' September 19, 2006 Amendment. Applicants respectfully submit that the current amendments place the case in condition for allowance.

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**III. Conclusion**

The Applicants submit that in light of the foregoing remarks and amendments the application is now in condition for allowance. Applicants therefore respectfully request that the outstanding rejections be withdrawn and that the case be passed to issuance.

Respectfully submitted,

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Date

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